

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855.

Investigation 03-10-038
(Filed October 16, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING
FOLLOWING LAW AND MOTION HEARING**

This matter came before the Commission on April 13, 2004, on Conlin-Strawberry Water Company's (Water Company) motion to strike portions of staff's prepared testimony, dated April 6, 2004. The Water Company appeared through Tom MacBride. The Water Division appeared through Cleveland Lee. Administrative Law Judge (ALJ) John E. Thorson presided.

Both attorneys argued the Water Company's motion to strike, and the motion was taken under advisement.

The following other matters were addressed:

- The Water Division shall provide Mr. MacBride with copies of the attachments to the Order Instituting Investigation in this proceeding. These copies will be available for Mr. MacBride to pick up at 3:30 p.m., on Wednesday, April 14, 2004, at the Commission's offices.

- The Water Division shall file its motion to compel on or before Friday, April 16, 2004. The Water Company shall file its response on or before Friday, April 23, 2004. No reply will be filed. The motion may address the discoverability of tax returns.
- Mr. Chow's service of a data request on Ms. Dolores Conlin, without service on Mr. MacBride, is not sufficient service of the data request. Mr. Lee may seek this information in his motion to compel.
- Mr. MacBride shall provide Mr. Lee with the attachments to Mr. Pingree's deposition on or before Friday, April 16, 2004.

In preparation for the final Prehearing Conference, the parties shall mark their proposed exhibits and prepare an exhibit log using the attached format. Parties shall e-mail their exhibit log to the assigned ALJ in advance of the final Prehearing Conference. The Water Division is assigned exhibit numbers 1-499. The Water Company is assigned exhibit numbers 500-999.

IT IS SO RULED.

Dated April 27, 2004, at San Francisco, California.

/s/ JOHN E. THORSON

John E. Thorson
Administrative Law Judge

California Public Utilities Commission

Exhibit Index

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Proceeding No. _____

Inclusive Dates: _____ to _____

ALJ John E. Thorson

Presiding

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CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Following Law and Motion Hearing on all parties of record in this proceeding or their attorneys of record. In addition, service was also performed by electronic mail.

Dated April 27, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.